

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RACHEL CAROL FILSOOF,

Plaintiff,

- against-

Docket No: 21-cv-1791 (NRB)

ANDREW J. COLE,

Defendant.
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DECLARATION OF RACHEL CAROL FILSOOF

1. I am the Plaintiff in the above-captioned action.
2. I submit this Declaration in support of my motion to quash the Defendant's subpoena issued to my ex-boyfriend, Tony Harnell (the "Harnell Subpoena"). I have personal knowledge of the facts set forth herein.
3. Tony Harnell was a singer and song writer that was introduced to me when I was 17 years old.
4. I was an aspiring singer and with my parents' approval he became my vocal coach as he was widely known for having significant vocal range. See https://en.wikipedia.org/wiki/Tony_Harnell.
5. Unexpectedly, our relationship became romantic and we started dating in approximately January 2013.
6. Our relationship lasted approximately 6 years and was filled with arguments and quarrels that are not atypical in any relationship and I fear that Andrew Cole is going to attempt to flood this case with any disputes with Mr. Harnell.
7. This case relates to Andrew Cole's physical assault of me and his efforts to black

ball me in the industry.

8. The last time I saw Mr. Harnell was in approximately October/November 2018 right before he moved from Nashville, Tennessee.

9. Mr. Harnell and I ended our relationship by phone in January of 2019. I started dating Defendant Andrew Cole in February 2019.

10. Although I had occasional texts with Mr. Harnell until April 2019 none of them included any information about the allegations against Andrew Cole. The very first incident that I alleged against Andrew Cole is in June of 2019.

11. Mr. Harnell also never was present at any of the alleged incidents that took place between me and the Defendant, and thus has no personal knowledge of the relevant incidents.

12. Any information that the Defendant is seeking to obtain from my ex-boyfriend Mr. Harnell is clearly aimed at attempting to harass and embarrass me regarding the details of my six year relationship and to distract the Court and potentially a jury from the allegations contained in this case against Mr. Cole.

13. The Defendant's purpose in seeking details of my prior relationship is clearly to harass me and wear me down. When I learned that Defendant is engaging in a fishing expedition to embarrass me about my prior relationship, I became extremely distraught. I cannot believe that the Defendant has stooped to this level, in improper efforts to smear me and impugn my character.

14. Defendant would like discovery on all of my arguments with Mr. Harnell, opening the door to discovery about Mr. Harnell's personal issues some of which are outlined in his last email to my mother which is attached here as the only Exhibit.

15. For the reasons set forth herein and in the accompanying letter motion by my counsel, I respectfully ask this Honorable Court to grant my motion to quash the Harnell Subpoena.

16. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 3rd day of March 2022



RACHEL CAROL FILSOOF